

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136268/FO/2023

Date registered valid: 17 March 2023

Proposal: Retention of cycle stands

Address: Various Footways At George Street, Charlotte Street, Booth Street, Brown Street, New York Street, Portland Street, Pall Mall, Fountain Street, Manchester

Ward(s): Deansgate Ward

Applicant: Mr Tom White Beryl

Agent (if any):

Case officer: Jack Naven
Tel: 0161 219 2095
Email: jack.naven@manchester.gov.uk

Recommendation: Approved

Date of recommendation: 10/05/2023

Application Details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 23 March 2023

Standard consultations:

Printed: 21 March 2023 Expired: 11 April 2023

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 21 March 2023 Expired: 11 April 2023

Press advert

Published: 28 March 2023 Expired: 18 April 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of Area

Listed building: Not applicable

Conservation area: Upper King Street (Extension) Conservation Area 1985

Tree Preservation Order: Not applicable

Description of Site/Building

The application relates to eight sites, with one bicycle hire stand situated at each site. The sites are located on George Street, Charlotte Street, Booth Street, Brown Street, New York Street, Portland Street, Fountain Street, and Pall Mall.

Description of Development

The application proposals relate to the retention of infrastructure to support a GM cycle hire scheme being introduced within the city and wider area. The infrastructure is in the form of stands used for the parking of hire bikes located predominantly in locations with existing footway.

Consultations & Notification Responses

Highways Services - Have said that the retention of cycle stands are acceptable to Highways.

Publicity - Site notices were posted adjacent to the proposed locations of the stands. No representations were received as a result of this publicity.

Policy

The main policies relating to this application are policies SP1 (Spatial Principles), DM12 (Development Management), T1 (Sustainable Transport) and EN3 (Heritage) of the Manchester Core Strategy (2012), saved policy DC22.1 (Footpath Protection) of the Unitary Development Plan (1995) and Section 9 (Promoting sustainable transport) of the NPPF.

Issues

Principle

The principle of the installation of infrastructure to support a growth in the use of sustainable modes of transport within the city is acceptable and would assist in meeting climate change commitments and assist in improving the air quality particularly along busy roads. In this instance further consideration of the implications of the proposals on the visual amenity of the area and pedestrian safety amongst other things is required.

Visual Amenity

The stands add to the amount of infrastructure within the pedestrian environment. The stands are relatively unobtrusive by themselves, although when occupied by bikes they are a more visible element within the street furniture. Hence, they are considered to have a moderate impact in the street scene. This impact is considered acceptable given the public benefit derived from the provision of sustainable, zero-emission transport method.

The stands at sites M323 on Brown Street, M071 on Charlotte Street, M066 on George Street, and M326 on Portland Street are in the setting of listed buildings. However, it is considered that they have a negligible impact on the significance of the listed buildings which would be outweighed by the aforementioned public benefit.

On balance the proposals are not considered to give rise to such harmful visual impacts as to warrant refusal.

Impact on the historic environment

The application sites are located within or adjacent to the conservation area and in in close proximity listed buildings. It is noted that the development would be located within the setting of these assets and add to the clutter within the street scene. Notwithstanding this, the proposal does not effect the legibility or significance of the assets as a whole. A low level of harm does occur because of the introduction of modern infrastructure into the conservation area. This low level of harm would be less than substantial and outweighed by public benefits of having improve cycle access within the city centre. The bike stands can be removed should they no longer be required in the future.

Pedestrian Safety

The application has been considered by Highway Services who raise no objections in relation to pedestrian and highway safety arising from the retention of these stands.

Access

Several applications for stands were approved in 2021, for example app. ref. 132005/FO/2021. The layout of the development would ensure that the pedestrian environment remains accessible and in line with the following principles.

-All sites along a kerb will be 450mm away from the kerb line.

- All sites have been chosen to leave at least 2m of footway around for other users of the space.
- All sites have been chosen to avoid anti-social behaviour and vandalism, as visible as possible and well lit.

A site visit and a review of the design and access statement confirm compliance with these recommendations.

Crime and Safety

The applicant has provided information relating to the robustness of the installations and the way sites for the parking facilities have been chosen. There is also in place mechanism for replacing and removing installations where particular problems arise. No comments have been received from GMP but the information submitted is considered to set out a reasonable approach to dealing with theft and anti-social behaviour that may arise from misuse of the facilities.

Residential Amenity

The stands and use of them are not considered to give rise to unacceptable impacts on residential amenity. Site M326 on Portland Street is situated on busy, well-trafficked roads and hence there is already a considerable level of background noise. Therefore at this location, the docking of bikes is unlikely to create an unacceptable level of noise pollution.

No objections from local occupiers were received related to any of the locations, therefore, it is considered that there is a negligible impact on residential amenity caused by the bike stands.

Conclusion

It is considered that the scheme is in accordance with relevant planning policy, as set out above, and should be approved.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and

owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development hereby approved shall be carried out in accordance with the following drawings and documents:

- Drawing - Site Plan BLOCK PLAN OF THE SITE M066 - Chinatown/George St
- Drawing - Site Plan BLOCK PLAN OF THE SITE M071 - Nero Portland
- Drawing - Site Plan BLOCK PLAN OF THE SITE M258 - Booth Street/W Mosley St
- Drawing - Site Plan BLOCK PLAN OF THE SITE M323 - Marriots Court
- Drawing - Site Plan BLOCK PLAN OF THE SITE M324 - Fountain Street
- Drawing - Site Plan BLOCK PLAN OF THE SITE M325 - New York Street
- Drawing - Site Plan BLOCK PLAN OF THE SITE M326 - Portland Street
- Drawing - Site Plan BLOCK PLAN OF THE SITE M350 - Pall Mall
- Design & Access Statement - Bee Network Cycle Hire Design Access Statement

All received by the City Council, as local planning authority, on 15 February 2023.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Appendix 2 – Planning constraints

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Conservation Area - Upper King Street (Extension) Conservation Area 1985